4927568/2021/SEC-IV-EFS01

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Andhra Pradesh Forest Department – Departmental Proceedings initiated against Sri G. Venkateswarlu, Forest Range Officer (Retd.), earlier worked in Markapur Range of Markapur (WLM) Division under Rule 20 of A.P. Civil Services (CC & A) Rules, 1991 – Penalty of "2% (two percent) cut in pension for a period of (2) two years" against the Charged Officer – Imposed – Orders – Issued.

G.O.Ms.No.56 **Dated:02.09.2021.**

Read the following:

1)From the PCCF & HoFF, A.P., Guntur, letter Ref. No.8160/2018/A&DC-1, dated 25.11.2020.
2)Memo.No.2232/Sec.IV/A1/2020, EFS & T (Sec.IV) Dept., dated 26.03.2021.
3)From the PCCF & HoFF, A.P., Guntur, letter Rc.No.8160/2018/A&DC-1, dated 29.04.2021.
4)Letter No.2232/Sec.IV/A1/2021, EFS & T (Sec.IV) Dept., dated 02.07.2021.
5)From the Secretary, APPSC, letter No.385/DC&C/2021, dated 17.08.2021.

-oOo-

ORDER:

In the letter 1st read above, the Principal Chief Conservator of Forests & HoFF, Andhra Pradesh, Guntur has informed that the following Articles of Charges were issued to Sri G. Venkateswarlu, Forest Range Officer (Retd.), earlier Forest Range Officer, Markapur Range of Markapur (WLM) Division by the Principal Chief Conservator of Forests & HoFF, Andhra Pradesh, Guntur vide Ref.No.8160/2018/Vig.1, dated 29.05.2019 under Rule 20 of A.P. Civil Services (CC & A) Rules 1991:-

Article-I:

"That Sri G. Venkateswarlu, FRO, Markapur Range of WLM Markapur Division allowed illegal running of Sawmill at Pathapadu(V) of Konakalamitla(M), Gotlagattu Beat of Podili Section, Markapur Range and committed irregularities and not followed the Rule 3 of A.P. Sawmill (Regulation) Rules, 1969".

Article-II:

"That Sri G. Venkateswarlu, FRO, Markapur Range of WLM Markapur Division shown willful negligence in not detecting lapses of non-indication of violation of A.P. Sawmill (Regulation) Rules, 1969 in the POR written by field staff and such negligence will result in weak prosecution and lead to acquittal of cases".

2. The Charged Officer acknowledged the Article of Charges on 04.06.2019 and submitted his explanation on 07.06.2019. The Principal Chief Conservator of Forests & HoFF, Andhra Pradesh, Guntur has appointed the Conservator of Forests/Field Director, Project Tiger Circle, Srisailam as Common Inquiring Authority for conducting inquiry into the charges framed against him and the DFO, WLM Markapur Division as Common Presenting Authority vide Ref.No.8160/2018/Vig.1, dated 10.12.2019, for Presenting the case before the Inquiry Officer on behalf of the disciplinary authority.

[P.T.O]

3. The Inquiry Officer i.e., Conservator of Forests/Field Director, Project Tiger, Srisailam Circle, in Rc.No.668/2019/PT.1, dated 11.09.2020 has submitted his findings wherein he has concluded that,

> **Article–I:** Unauthorized Saw Mill is located at Pathapadu Village which is at a distance of 60 Kms away from the Official Headquarter (Markapuram) of the C.O. But, it is at a distance of 2 Km from Gotlagattu Beat and also 20 Km distance from the Headquarters of the DRO, Podili. Both the officers i.e., DRO and FBO failed to detect the unauthorized running of Saw Mill. Further, in the charge it was mentioned that the Charged Officer has allowed illegal running of Sawmill at Pathapadu (V) of Konakamitla (M), Gotlagattu Beat of Podili Section, Markapur Range and committed irregularities and not followed the Rule 3 of A.P. Saw Mill (Regulation) Rules, 1969. But, as per the available records and enquiry proceedings it is noticed that, the C.O. has not allowed the illegal functioning of the Saw Mill but he failed to detect the same till it was detected and point out by the DFO, FSP, Atmakur. The accused has never stated that, the C.O has allowed him to run the Saw Mill unauthorizedly but only stated that he has run the Saw Mill due to lack of knowledge on forest rules. From the above, it is submitted that the C.O. was not directly responsible for functioning of the unauthorized saw mill but failed to detect it till it was detected and point out by the DFO, FSP., Atmakur. **Hence the charge is proved.**
>
> **Article –II:** With regard to non-Rules, 1969 in the POR, the concerned Forest Beat Officer has registered the case under Section 29(2) of APFA 1967 and 19/FRO-MRK, dt:02.06.2018 and submitted the duplicate copy of the POR to the FRO, Markapur through the DRO, Podili as such the FRO, Markapur is no way concerned with the non-indication of violation of A.P. Saw Mill (Regulation) Rules, 1969 in the POR. Necessary action was already initiated against the concerned FBO and inflicted the major penalty of stoppage of one increment with cumulative effect. The CO has taken prompt action by completing the investigation in the case and by obtaining the prosecution orders and included the violation of A.P. Saw Mill (Regulation) Rules, 1969 in the charge sheet and the case is under trail as such it is not correct to say that the case may be acquitted. **Hence, the charge is not proved.**

4. The findings of the Inquiry Authority were communicated to the Charged Officer in Principal Chief Conservator of Forests & HoFF, Andhra Pradesh, Guntur Ref.No.8160/2018/A&DC-1, dated 29.09.2020, for submission of further defence. The Charged Officer acknowledged the receipt of final notice on 20.10.2020 and submitted his further defence statement on 23.10.2020 wherein he did not submit any new/fresh points.

5. The Charged Officer has retired from the Government Service on attaining the age of superannuation on 30.06.2019. Hence, the disciplinary proceedings are continued under Rule 9 of Andhra Pradesh Revised Pension Rules, 1980.

Contd...

6. The entire issue has been examined and it has been provisionally decided to impose a penalty of "2% (two percent) cut in pension for a period of (2) two years", against Sri G. Venkateswarlu, Forest Range Officer (Retd.), earlier worked in Markapur Range of Markapur (WLM) Division, under Rule 9 of Andhra Pradesh Revised Pension Rules, 1980. Accordingly a show-cause notice was issued by the Government to the retired Charged Officer duly indicating the quantum of punishment vide Memo., 2nd read above through Principal Chief Conservator of Forests & HoFF. In the letter 3rd read above, the Principal Chief Conservator of Forests & HoFF has informed that the Charged Officer has submitted his further defence statement, wherein there are no fresh and valid points.

7. The Secretary, Andhra Pradesh Public Service Commission, in the letter 5th read above, has stated that Commission agreed with the proposal of the Government to impose a penalty of "2% (two percent) cut in pension for a period of (2) two years", against Sri G. Venkateswarlu, Forest Range Officer (Retd.), earlier worked in Markapur Range of Markapur (WLM) Division.

8. After careful examination of the matter, the Government hereby order to impose a penalty of **"2% (two percent) cut in pension for a period of (2) two years"**, against Sri G. Venkateswarlu, Forest Range Officer (Retd.), earlier worked in Markapur Range of Markapur (WLM) Division, under Rule 9 of Andhra Pradesh Revised Pension Rules, 1980.

9. The Principal Chief Conservator of Forests & HoFF, Andhra Pradesh, Guntur shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

VIJAY KUMAR G.Srkr
SECRETARY TO GOVERNMENT

To
Sri G. Venkateswarlu, Forest Range Officer (Retd.), earlier worked in Markapur Range of Markapur (WLM) Division through Principal Chief Conservator of Forests & HoFF, Andhra Pradesh, Guntur.

The Principal Chief Conservator of Forests & HoFF, Andhra Pradesh, Guntur.(with original record file No.668/2019/PT-1 (1-393))

Copy to:
The Accountant General (A&E), Andhra Pradesh.
The Secretary to Andhra Pradesh Vigilance Commission, A.P. Secretariat, Velagapudi.
The Director of Treasuries & Accounts, Ibrahimpatnam, Vijayawada.
The Secretary, A.P. Public Service Commission, Vijayawada.
The PS to M (Energy, EFS & T).
The PS to Secretary to Government, EFS & T Department.
SF/SC (Computer No.1360155).

//FORWARDED :: BY ORDER//

SECTION OFFICER